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(57) Abstract			
<i>In vitro</i> fertilisation can be improved by adding a meiosis activating compound.			

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## TREATMENT OF INFERTILITY

## FIELD OF THIS INVENTION

- 5 This invention relates to an improved method of *in vitro* fertilisation (hereinafter designated IVF).

## BACKGROUND OF THIS INVENTION

- 10 Since the first IVF pregnancy was delivered in 1978, this procedure has resulted in thousands of pregnancies and opened a vast new frontier of research and treatment for the infertile couples. Still, there is a significant need for improved infertility treatment modalities today. It is presumed that about one out of seven couples experience problems with subfertility or infertility.

- 15 IVF of human oocytes has become commonly used for the treatment of female and male subfertility. The standard IVF treatment includes a long phase of hormone stimulation of the female patient, e.g. 30 days, which is initiated by suppressing the patient's own follicle stimulating hormone (hereinafter designated FSH) and luteinising hormone (hereinafter designated LH) by gonadotropin releasing hormone (hereinafter designated GnRH), and this is followed by injections of exogenous gonadotropins, e.g. FSH and/or LH, in order to ensure development of multiple preovulatory follicles and aspiration of multiple *in vivo* matured oocytes immediately before ovulation. The aspirated oocyte is subsequently fertilised *in vitro* and cultured, typically for three days before transferral back into the uterus at the 4-8 cell stage. Continuous efforts have been made to optimise and simplify this procedure. Nevertheless, the overall pregnancy rate cannot be increased significantly over about 20% with the current treatment modalities. In a large European survey of IVF patients, it was found that 7.2 oocytes out of 11.5 aspirated oocytes per patient had undergone
- 25 resumption of meiosis immediately before fertilisation, only 4.3 oocytes were fertilised and only 2.2 oocytes reached the 8-cell embryo stage after fertilisation and *in vitro* culture (ESHRE, Edinburgh, 1997).
- 30

Due to the very unpredictable quality of the state of the art embryos today, more than one embryo has to be transferred just to give a reasonable chance of success.

Therefore, it is common to transfer 2-3 embryos (up to 5 embryos in some countries),  
5 which carries the very large side effect of multiple pregnancies with great discomfort and risk to both patient and children. Moreover, it has been estimated that the increased health care expenses due to multiple birth (twins, triplets etc.) is exceeding the entire IVF expenses.

10 Hence, there are several disadvantages with the current treatment, the four most notable being:

1. the risk of ovarian hyperstimulation with injecting gonadotropins which is a potential fatal condition that requires hospitalisation,
2. multiple pregnancies (50-1.000 times the normal frequency of twins and triplets,  
15 respectively),
3. the existence of considerable patient segments that do not tolerate the current method due to, e.g. polycystic ovarian syndrome and many diabetics,
4. a potential long-term cancer risk.

Furthermore, weight gain, bloating, nausea, vomiting, labile mood and other  
20 patient discomforts together with patient reluctance to inject themselves are reported as disadvantages.

It is known from WO 96/00235 that certain sterol derivatives can be used for regulating meiosis. An example of such a sterol is 4,4-dimethyl-5 $\alpha$ -cholesta-8,14,24-triene-  
25 3 $\beta$ -ol (hereinafter designated FF-MAS).

Herein, the term MAS compounds designates compounds which mediate the meiosis of oocytes. More specifically, MAS compounds are compounds which in the test described in Example 1 below has a percentage germinal vesicle breakdown (hereinafter designated GVB) which is significantly higher than the control. Preferred MAS  
30 compounds are such having a percentage GVB of at least 50%, preferably at least 80%.

Examples of MAS compounds are mentioned in WO 96/00235, 96/27658, 97/00884, 98/28323, 98/54965 and 98/55498, more specifically in Claim 1 thereof.

- 5 In WO 95/000265, some potential meiosis regulating substances were tested on immature female mice. 48 hours before the test animal were killed by cervical dislocation, they were given a single injection of human menopausal gonadotropin containing 20 IU FSH and 20 IU LH. The ovaries were removed, placed in a hypoxanthine medium and freed of extraneous tissue. Then, the oocytes were punctured out of the  
10 follicles, freed from cumulus cells and cultured in a medium containing a meiosis regulating derivative.

At present, *in vitro* maturation in humans has proven highly unsuccessful despite substantial interest and clinical efforts.

15

One object of the present invention is to treat human infertility.

Another object of the present invention is to improve the maturation of human oocytes.

- Another object of the present invention is to improve the synchrony of nuclear, cytoplasmic and/or membranous oocyte maturation.  
20

Another object of the present invention is to improve the fertility of oocytes.

Another object of the present invention is to improve the rate of implantation of oocytes by human *in vitro* maturation and fertilisation.

- Another object of the present invention is to diminish the incidence of human preembryos with chromosome abnormalities (aneuploidy).  
25

Another object of the present invention is to improve the cleavage rate of human preembryos.

Another object of the present invention is to improve the quality of human preembryos.

30

## SUMMARY OF THIS INVENTION

It has now, surprisingly, been found that the IVF can be improved substantially when a MAS compound is added at the stage in the usual method of performing *in vitro* fertilisation where one would expect that the maturation had taken place *in vivo*.

Briefly, the present invention relates to a method for human *in vitro* fertilisation wherein a woman, within a consecutive period of 30 days, is treated with a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof where after oocytes are aspirated and actively final matured or the oocyte maturation is synchronised *in vitro* in contact with a MAS compound. Preferred embodiments of this invention are those stated in the sub claims below.

## 15 DETAILED DESCRIPTION OF THIS INVENTION

Referring to the female cycle, on way of performing the treatment of this invention is as follows:

20 Around day 21 in one cycle to around day 15 in the following cycle: The eggs are stimulated by treating the woman with GnRH, e.g. Synarel (400-600 µg per day).

Around days 6-15 in the second cycle: The eggs are stimulated by treating the woman with FSH, e.g. Gonal-F, Puregon or Humegon (150-400 IU per day).

25

Around days 15-16 in the second cycle: The eggs are stimulated by treating the woman with hCG, e.g. Pregnyl or Profasi (2000-5000 IU per day).

Around day 18 in the second cycle: The eggs are retrieved from the woman.

30

Around day 18-19 in the second cycle: The eggs are matured with a MAS compound in order to stimulate the meiosis. In this additional maturation step, the con-

centration of MAS compound may be in the range about 0.1-100  $\mu$ mol per litre, e.g. 10-20  $\mu$ mol per litre. The time for this maturation step may be in the range around 1-60 hours. If the preovulatory follicles are induced to lutenise with a lutenising hormone or an agonist or antagonist thereof or an active derivative thereof and/or human chorion gonadotropins or an agonist or antagonist thereof or an active derivative thereof, the maturation of the oocytes with the MAS compound is for a duration of about 1-15 hours, preferably about 6 hours. If, however, preovulatory follicles are not induced to lutenise with a lutenising hormone or an agonist or antagonist thereof or an active derivative thereof and/or human chorion gonadotropins or an agonist or antagonist thereof or an active derivative thereof, the maturation of the oocytes with the MAS compound is for duration of about 15-60 hours.

Around days 19-21 in the second cycle: The eggs are fertilised *in vitro*.

From the day before aspiration, the woman will receive an oestrogen, e.g., oestrogen valerate (2 x 10 mg daily). Two days later, she will also receive a progestogen, e.g., Progestane vagetoria, daily, which will render the lining of the uterus more prone to receive the future embryos. The duration of this treatment will be individually designed per patient. The doctor can chose among a variety of oestrogens and progestogens.

Around day 21 in the second cycle: One or more embryos are transferred to the woman's uterus.

The description above is designated MAS add-on to the existing IVF protocol to improve efficacy by mediating a final or complete maturation or synchrony in the oocyte. Alternatively, MAS can be used to rescue oocytes in cycles that otherwise would be cancelled due to apparent FSH hyper response. In this instance, the responsible clinician would consider cancellation based on the estradiol profile, ultrasonography (PCO like response) thus avoiding the hCG treatment. The oocytes are aspirated at the time around day 15-16 substituting hCG treatment.

Apart from the additional maturation step with a MAS compound, the above IVF is performed the usual way. Since one expects that by the traditional IVF procedure the eggs had been matured sufficiently, one would not expect that it would have any additional effect to add this additional maturation step.

5

Most of the steps in the above treatment and procedure are performed in a known manner and the remaining steps are performed in a manner known per se. More details about the removal of the oocytes from follicles in the ovary, culturing of the isolated oocytes, the culture medium to be used, the fertilisation with sperm, and the transfer of the embryo to the fallopian tube can be found in the literature, for example, in US patent specification No. 5,693,534 which is hereby incorporated by reference.

According to this invention, the MAS compound is added to the culture medium used. In this medium, the amount of the MAS compound is in the range from about 0.01 to about 100  $\mu$ M, preferably in the range from about 0.1 to about 100  $\mu$ M.

A preferred reason for treating a woman, within a consecutive period of 30 days, with a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative is to obtain multiple preovulatory follicles.

Hypothalamic hormones are hormones present in the human hypothalamus. Pituitary hormones are hormones present in the human pituitary gland. Gonadotropic hormones are hormones secreted by the anterior lobe of the pituitary in vertebras and by mammalian placenta, which control the activity of gonads. Chemically, they are glycoproteins. Examples of gonadotropic hormones are FSH, LH and chorion gonadotropin, e.g. human chorion gonadotropin (hereinafter designated hCG). FSH stimulates growth of ovarian follicles and their oocytes in ovary and the formation of spermatozoa in testis. FSH can, e.g., be menopausal FSH or recombinant FSH. In females, LH activates the oestrogen-producing tissue of the ovaries to produce progesterone, probably promotes the final stages of the development of ovarian follicles, initiates the final oocyte maturation, induces ovulation and in mammals initiates cor-



pus luteum development. These hormones are known. It is obvious for the skilled art worker that, alternatively, agonists or antagonists of these hormones can be used. It is also obvious for the skilled art worker that, alternatively, active analogues of these hormones can be used. Some of these agonists, antagonists and analogues are  
5 known and other can be prepared by process known per se. Examples of such known processes are chemical synthesis and genetic engineering.

In a preferred embodiment, the present invention relates to a method or use wherein the consecutive period of 30 days within which the woman is treated with a hypotha-  
10 lamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof is at least about 7 days, preferably at least about 10 days, more preferred at least about 14 days.

In another preferred embodiment, the present invention relates to a method or use  
15 wherein the woman is treated for infertility, and/or for improving the maturation of her oocytes, and/or for improving the synchrony of nuclear, cytoplasmic and/or membranous oocyte maturation, and/or for improving the fertility of her oocytes, and/or for improving the rate of implantation by human *in vitro* maturation and fertilisation

20 In another preferred embodiment, the present invention relates to a method or use wherein the consecutive period is one menstrual cycle.

In another preferred embodiment, the present invention relates to a method or use wherein the maturation of the oocytes with the MAS compound is for a duration of  
25 about 15 to about 60 hours.

In another preferred embodiment, the present invention relates to a method or use wherein preovulatory follicles are induced to lutenise with a luteinising hormone (LH) or an agonist or antagonist thereof or an active derivative thereof and/or human  
30 chorion gonadotropin (HCG) or an agonist or antagonist thereof or an active derivative thereof.

In another preferred embodiment, the present invention relates to a method or use wherein the maturation of the oocytes with the MAS compound is for a duration of about 1 to about 15 hours, preferably about 6 hours.

- 5 In another preferred embodiment, the present invention relates to a method or use wherein the dosage of MAS compound used is about 0.01 to about 100  $\mu\text{mol}$  per litre, preferably about 0.1 to about 100  $\mu\text{mol}$  per litre.

- 10 In another preferred embodiment, the present invention relates to a method or use wherein the MAS compound is one of the compounds mentioned in WO 96/00235, 96/27658, 97/00884, 98/28323, 98/54965 and 98/55498, more specifically compounds mentioned in Claim 1 thereof.

- 15 In another preferred embodiment, the present invention relates to a method or use wherein the MAS compound is FF-MAS.

- Additionally, the present invention relates to the use of a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof in the manufacture of a hormone product which is to be administered to a  
20 woman who, within a consecutive period of 30 days, is treated with a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof, and from whom, immediately after said period, one or more oocytes are aspirated, where after said oocyte(s) is/are cultivated in a convenient medium containing a MAS compound as defined herein, where after said oocyte(s)  
25 is/are fertilised with human sperm, and where after the resulting embryo(s) is/are transferred to a woman.

- Additionally, the present invention relates to the use of a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof and of a MAS compound for the manufacture of a medicament for the treat-  
30 ment of human *in vitro* fertilisation wherein a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof is,

within a consecutive period of 30 days, used to treat a women and, thereafter, the MAS compound is used in an *in vitro* oocyte maturation of the egg or eggs retrieved from this woman.

- 5 Additionally, the present invention relates to a pharmaceutically kit in unit dosage form for use by *in vitro* fertilisation comprising separate unit dosages, said kit comprising separate dosage units for sequential daily administration of a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof for sequential daily administration and 1 dosage units of a MAS  
10 compound. This kit may have the preferred features described above.

The present invention is further illustrated by the following examples, which, however, are not to be construed as limiting. The features disclosed in the foregoing description, in the following examples and in the claims may, both separately and in  
15 any combination thereof be material for realising the invention in diverse forms thereof.

#### Example 1

20

##### Method used for electing MAS compounds

Oocytes were obtained from immature female mice (C57BL/6J x DBA/2J F1, Bomholtgaard, Denmark) weighing 13-16 grams, that were kept under controlled temperature (20-22°C), light (lights on 06.00-18.00) and relative humidity (50-70%). The  
25 mice received an intra-peritoneal injection of 0.2 ml gonadotropins (Gonal-F, Serono) containing 20 IU FSH and 48 hours later the animals were killed by cervical dislocation. The ovaries were dissected out and the oocytes were isolated in Hx-medium (see below) under a stereomicroscope by manual rupture of the follicles using a pair  
30 of 27 gauge needles. Spherical oocytes displaying an intact germinal vesicle (hereinafter designated GV) were divided in cumulus enclosed oocytes (hereinafter designated CEO) and naked oocytes (hereinafter designated NO) and placed in  $\alpha$ -

minimum essential medium ( $\alpha$ -MEM without ribonucleosides, Gibco BRL, Cat. No. 22561) supplemented with 3 mg/ml bovine serum albumin (BSA, Sigma Cat. No. A-7030), 5 mg/ml human serum albumin (HSA, Statens Seruminstitut, Denmark), 0.23mM pyruvate (Sigma, Cat. No S-8636), 2 mM glutamine (Flow Cat. No. 16-801),  
5 100 IU/ml penicillin and 100  $\mu$ g/ml streptomycin (Flow, Cat No. 16-700). This medium was supplemented with 3 mM hypoxanthine (Sigma Cat. No. H-9377) and designated Hx-medium.

The oocytes were rinsed three times in Hx-medium and oocytes of uniform size were divided into groups of CEO and NO. CEO and NO were cultured in 4-well  
10 multidishes (Nunc, Denmark) in which each well contained 0.4 ml of Hx-medium and the compound to be tested in a concentration of 10  $\mu$ M. One control well (i.e., 35-45 oocytes cultured in identical medium with no addition of test compound) was always cultured simultaneously with 3 test wells (35-45 oocytes per well supplemented with test compound).

15 The oocytes were cultured in a humidified atmosphere of 5% CO<sub>2</sub> in air for 24 hours at 37°C. By the end of the culture period, the number of oocytes with GV, GVB and polar bodies (hereinafter designated PB), respectively, were counted using a stereo microscope (Wildt, Leica MZ 12). The percentage of GVB, defined as percentage of oocytes undergoing GVB per total number of oocytes in that well, was  
20 calculated as:

$$\% \text{ GVB} = ((\text{number of GVB} + \text{number of PB}) / \text{total number of oocytes}) \times 100.$$

## Example 2

25

### *Procedure*

All IVF patients can potentially receive this treatment, age range 20 to 45 year. The hormonal treatment can be a short or long gonadotropin based treatment with or without pituitary down regulation or with and without the use of GNRH antagonist and  
30 with or without the use of hCG. Future appropriate hormonal therapies designed for IVF can also be used. Medium to full size follicles (size 10 to 25 mm, preferential 16 to 20 mm follicles) will be aspirated under ultrasound guidance.

The aspirated fluid will be searched for cumulus oocytes complexes (COC) and once identified under the stereomicroscope (with or without the use of embryo filters), the COC will be placed in culture.

The exposure to FF-MAS can vary from 1 to 60 hours, preferentially from 4 to 30 hours, and can be before, under and up to 24 hours after fertilisation. A wide variety of oocyte culture media or media components known to the skilled worker can be used. Human serum albumin (HSA) may or may not be added to the medium. If added, it can be in a concentration of 0.1 to 100 mg/ml, preferentially 5 to 15 mg/ml or 0.5 to 1.5 % volume/volume. The formulation of FF-MAS may be in the form of an ethanol stock solution, DMSO or other organic solvent solution or it may be in form of FF-MAS/HSA dry coated wells ready to use just by adding the appropriate culture medium. The concentration of FF-MAS may vary from 0.1  $\mu$ M to 100  $\mu$ M, preferentially 10 to 30  $\mu$ M.

Following or during *in vitro* culture with FF-MAS, the oocytes may be fertilised by conventional IVF or by intracytoplasmatic sperm injection (ICSI) or by future appropriate fertilisation methods leading to fertilised zygotes. The developing embryo may be transferred on day 1 to day 6 after fertilisation, preferentially on day 2 to 3, either as single egg transfer or multiple egg transfer.

The patient can receive progesterone and/or oestrogen therapy before and after the egg transfer in individually designed protocols to prime and sustain appropriate receptive endometrial lineage.

Compared with the know procedures, better results were obtained using the above procedure.

### Example 3

#### Use of FF-MAS as adjunct to a standard FSH based IVF treatment

The patient underwent down regulation with recombinant FSH with an average daily dose of 225 IU starting on Day 1 or 2 of the current cycle and used a GnRH antagonist, i.e., Cetrorelix (1 mg daily, subcutaneously, one shot), in the current cycle. At least 3 follicles of 17 mm or more were present at the time of administering hCG, i.e., Profasi (10.000 IU, one shot). Follicles were aspirated and metaphase II

oocytes were cultured in oocyte culture system containing standard *in vitro* fertilization (IVF) media (IVF 20 (which is available from Scandinavian IVF Science AB, Gothenburg, Sweden)) supplemented with human serum albumin (0.8%) and FF-MAS (5  $\mu$ M). All oocytes were cultured under normal conditions at 37°C in the incubator. Each oocyte was cultured in one well in a four-chamber culture dish as culture media system. The duration of exposure to the culture media with treatment was 4 hours ( $\pm$ 30 minutes) before intracytoplasmic sperm injection (hereinafter designated ICSI) and 20 hours ( $\pm$ 1 hour) after ICSI in the above IVF 20 medium. Preembryos were evaluated for cleavage stage and fragmentation / morphology at 1, 2 and 3 days post ICSI. After 3 days of culture, a selection of the best preembryos, typically two preembryos, was replaced to the female patient. The female patient received an estrogen, i.e., Estrofem (6 mg/daily), and a progesterone, i.e. Utrogestan (600 mg/daily, micronized, vaginal suppository), to render the endometrium lining the patient uterus responsive and ready for allowing implantation of the transferred eggs. The continuation of supporting steroid hormones was patient depending and was seponated after 3-10 weeks depending on ultrasound scans and blood testing.

Compared with the know procedures, better results were obtained using the above procedure.

20

#### Example 4

##### Use of FF-MAS as adjunct to a standard FSH based IVF treatment

The patient underwent down regulation with an GnRH analog, i.e., Synarel (nasal spray, two puffs daily), for at least 14 days (starting in the luteal phase of the previous cycle or Day 1 or 2 in the follicular phase of the current cycle) and ovarian stimulation with recombinant FSH with an average daily dose of 225 IU. At least 3 follicles of 17 mm or more were present at the time of administering hCG, i.e. Profase (10.000 IU, one shot). Follicles were aspirated and metaphase II oocytes were cultured in oocyte culture system containing standard *in vitro* fertilization (IVF) media (IVF 20 (which is available from Scandinavian IVF Science AB, Gothenburg, Swe-

den)) supplemented with human serum albumin (0.8%) and FF-MAS (5  $\mu$ M). All oocytes were cultured under normal conditions at 37°C in the incubator. Each oocyte was cultured in one well in a four-chamber culture dish as culture media system. The duration of exposure to the culture media with treatment was 4 hours ( $\pm$ 30 minutes) before intracytoplasmic sperm injection (ICSI) and 20 hours ( $\pm$ 1 hour) after ICSI in the above IVF 20 medium. Preembryos were evaluated for cleavage stage and fragmentation / morphology at 1, 2 and 3 days post ICSI. After 3 days of culture, a selection of the best preembryos, typically two preembryos, was replaced to the female patient. The female patient received an estrogen, i.e., Estrofem (6 mg/daily), and a progesterone, i.e., Utrogestan (600 mg/daily, micronized, vaginal suppository), daily to render the endometrium lining the patient uterus responsive and ready for allowing implantation of the transferred eggs. The continuation of supporting steroid hormones was patient depending and was seponated after 3-10 weeks depending on ultrasound scans and blood testing.

15            Compared with the know procedures, better results were obtained using the above procedure.

#### Example 5

Using the procedure described in Example 3 with the proviso that in stead of using FF-MAS in a concentration of 5  $\mu$ M, FF-MAS was used in a concentration of 20  $\mu$ M, better results were obtained than with the know procedures.

#### Example 6

Using the procedure described in Example 4 with the proviso that in stead of using FF-MAS in a concentration of 5  $\mu$ M, FF-MAS was used in a concentration of 20  $\mu$ M, better results were obtained than with the know procedures.

## CLAIMS

1. A method for human *in vitro* fertilisation wherein a woman, within a consecutive period of 30 days, is treated with a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof where  
5 after oocytes are aspirated and actively matured or synchronised *in vitro* in contact with a MAS compound.
2. The use of a hypothalamic hormone and/or a pituitary hormone or an agonist or  
10 antagonist thereof or an active derivative thereof in the manufacture of a hormone product which is to be administered to a woman who, within a consecutive period of 30 days, is treated with a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof, and from whom, immediately after said period, one or more oocytes are aspirated,  
15 where after said oocyte(s) is/are cultivated in a convenient medium containing a MAS compound as defined herein, where after said oocyte(s) is/are fertilised with human sperm, and where after the resulting embryo(s) is/are transferred to a woman.
- 20 3. Use of a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof and of a MAS compound for the manufacture of a medicament for the treatment of human *in vitro* fertilisation wherein a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof is, within a consecutive period of  
25 30 days, used to treat a woman and, thereafter, the MAS compound is used in an *in vitro* oocyte maturation of the egg or eggs retrieved from this woman.
4. A method or use according to any one of the preceding claims wherein the woman is treated for infertility, and/or for improving the maturation of her oocytes, and/or for improving the synchrony of nuclear, cytoplasmic and/or mem-  
30 branous oocyte maturation, and/or for improving the fertility of her oocytes,



and/or for improving the rate of implantation by human *in vitro* maturation and fertilisation

- 5 5. A method or use according to any one of the preceding claims wherein the consecutive period of 30 days within which the woman is treated with a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof is at least about 7 days, preferably at least about 10 days, more preferred at least about 14 days.
- 10 6. A method or use according to any one of the preceding claims wherein the consecutive period is one menstrual cycle.
7. A method or use according to the previous claim wherein the maturation of the oocytes with the MAS compound is for a duration of about 15 to about 60 hours.
- 15 8. A method or use according to any one of the preceding claims wherein preovulatory follicles are induced to lutenise with a luteinising hormone (LH) or an agonist or antagonist thereof or an active derivative thereof and/or human chorion gonadotropin (HCG) or an agonist or antagonist thereof or an active derivative thereof.
- 20 9. A method or use according to the previous claim wherein the maturation of the oocytes with the MAS compound is for a duration of about 1 to about 15 hours, preferably about 6 hours.
- 25 10. A method or use according to any one of the previous claims wherein the dosage of MAS compound is about 0.01 to about 100  $\mu\text{mol}$  per litre, preferably about 0.1 to about 100  $\mu\text{mol}$  per litre.
- 30 11. A method or use according to any one of the previous claims, wherein the MAS compound is one of the compounds mentioned in WO 96/00235, 96/27658,

97/00884, 98/28323, 98/54965 and 98/55498, more specifically compounds mentioned in Claim 1 thereof.

- 5      12. A method or use according to the previous claim wherein the MAS compound is FF-MAS.
- 10      13. A pharmaceutically kit in unit dosage form for use by *in vitro* fertilisation comprising separate unit dosages, said kit comprising separate dosage units for sequential daily administration of a hypothalamic hormone and/or a pituitary hormone or an agonist or antagonist thereof or an active derivative thereof for sequential daily administration and 1 dosage units of a MAS compound.
- 15      14. A kit according to the previous claim having the preferred features described in any one of the above subclaims.
- 15      15. Any novel feature or combination of features described herein.

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/DK 00/00074

## A. CLASSIFICATION OF SUBJECT MATTER

IPC7: A61K 38/24, A61K 31/575, A61P 15/08

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC7: A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

SE,DK,FI,N0 classes as above

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X	Human Reproduction, Volume 14, suppl 1, pages 145-161, 1999, Smitz, Johan et al, "Oocyte in-vitro maturation and follicle culture: current clinical achievements and future directions", see page 150, lines 16-27 and page 155, lines 30-38 --	1,3-13
X	WO 9419455 A1 (GENETECH, INC. ET AL), 1 Sept 1994 (01.09.94), see especially page 5, line 38- page 7, line 6 and page 8, lines 1-7	1,3-10,13
Y	--	11,12
X	US 5610138 A (HOWARD S. JACOBS), 11 March 1997 (11.03.97), claims --	2,4-6,8

☒ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document but published on or after the international filing date	"Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

Date of mailing of the international search report

13 July 2000

28 -07- 2000

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## INTERNATIONAL SEARCH REPORT

International application No.

PCT/DK 00/00074

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 9627658 A1 (NOVO NORDISK A/S), 12 Sept 1996 (12.09.96), see especially page 3, lines 24-26, claim 1  --	11,12
Y	WO 9855498 A1 (AKZO NOBEL N.V.), 10 December 1998 (10.12.98), see page 1-3 and page 7, lines 9-10  --	11,12
Y	WO 9700883 A1 (NOVO NORDISK A/S), 1 Sept 1997 (01.09.97), see page 5, lines 28-31, claim 1  --	11,12
A	WO 9828323 A1 (NOVO NORDISK A/S), 2 July 1998 (02.07.98), claim 1  --	1,3-13
A	WO 9700884 A1 (NOVO NORDISK A/S), 9 January 1997 (09.01.97), see page 22, lines 11-14, claim 1  --	1,3-13
A	WO 9600235 A1 (NOVO NORDISK A/S), 4 January 1996 (04.01.96), see claims 1, 31-35  --	1,3-13
A	WO 9854965 A1 (BASF AKTIENGESELLSCHAFT), 10 December 1998 (10.12.98), claim 1  -- -----	1,3-13

## INTERNATIONAL SEARCH REPORT

International application No.  
**PCT/DK 00/00074****Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: **5**  
because they relate to subject matter not required to be searched by this Authority, namely:  
**see next sheet**
2. ☒ Claims Nos.: **14, 15**  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:  
**see next sheet**
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).:

**Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

**see next sheet**

1. ☒ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**

- ☐ The additional search fees were accompanied by the applicant's protest.  
☒ No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/DK 00/00074

## Box I.1

A pharmaceutical composition characterized by an administration regimen is considered to be a method for treatment of the human body. Claim 5 relates, in part, to administration regimens and is consequently considered to be a method for treatment. In spite of this, claim 5 has been searched.

## Box I.2

According to Article 6 PCT the claim or claims shall define the matter for which protection is sought and the claims shall be clear and concise. Simply referring to "preferred features" of previous claims or "any novel features" described in the application is not considered clear and concise. Claims 14 and 15 has only been searched for subject matter covered by claims 1-13.

## Box II

According to Article 34 (3) (a-c) and Rule 13.2, an international application shall relate to one invention only or to a group of inventions linked by one or more of the same or corresponding "special technical features", i.e. features that define a contribution which each of the inventions makes over the prior art. The present application relates to two such groups of inventions, namely:

1. A method for *in vitro* fertilisation (IVF) using hormone pretreatment and subsequently *in vitro* maturation (IVM) of the oocyte with a meiosis activating compound (MAS), according to claims 1, 3, 7, 9-13 (completely) and 4-6 and 8 (partially).
2. Use of a hypothalamic and/or a pituitary hormone for manufacture of a composition for use in IVF, according to claims 2 (completely) and 4-6 and 8 (partially).

The hormone composition mentioned in claim 2 can not be characterized by methodological steps that do not involve the composition itself, i.e. the treatment of oocytes with MAS.

Claim 2 therefore only describes the use of a hormone for manufacture of a composition for use in IVF.

Invention 1 relates to the combined use of hormone treatment and IVM with MAS. Invention 2 relates only to hormone treatment prior to IVF, which is well known in the prior art. Inventions 1 and 2 consequently do not share any special technical features as required by Rule 13.2 PCT.

INTERNATIONAL SEARCH REPORT  
Information on patent family members

02/12/99

International application No.

PCT/DK 00/00074

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9419455 A1	01/09/94	AU 672103 B AU 6249794 A CA 2154447 A EP 0686192 A JP 8507211 T US 5563059 A US 5693534 A	19/09/96 14/09/94 01/09/94 13/12/95 06/08/96 08/10/96 02/12/97
US 5610138 A	11/03/97	AT 77961 T AU 611130 B AU 1290288 A DE 3872614 A DK 49987 A DK 158542 B,C DK 543988 A EP 0300021 A,B SE 0300021 T3 JP 1502665 T US 5063204 A US 5538948 A WO 8805662 A	15/07/92 06/06/91 24/08/88 13/08/92 31/07/88 05/06/90 30/09/88 25/01/89 14/09/89 05/11/91 23/07/96 11/08/88
WO 9627658 A1	12/09/96	AU 4784596 A BR 9607673 A CA 2214126 A CZ 9702797 A EP 0813595 A HU 9800731 A JP 11501806 T NO 974089 A PL 322106 A US 5830757 A	23/09/96 16/06/98 12/09/96 14/01/98 29/12/97 28/07/98 16/02/99 05/09/97 05/01/98 03/11/98
WO 9855498 A1	10/12/98	AU 8535398 A	21/12/98
WO 9700883 A1	01/09/97	AU 6122696 A	22/01/97
WO 9828323 A1	02/07/98	AU 7878998 A EP 0946584 A NO 993009 A	17/07/98 06/10/99 19/08/99
WO 9700884 A1	09/01/97	AU 6122796 A BR 9608968 A CA 2224866 A CN 1191543 A CZ 9704080 A EP 0857173 A HU 9900454 A IL 122609 D JP 11507929 T NO 976044 A PL 324219 A	22/01/97 29/06/99 09/01/97 26/08/98 17/06/98 12/08/98 28/06/99 00/00/00 13/07/99 20/02/98 11/05/98

**INTERNATIONAL SEARCH REPORT**  
Information on patent family members

02/12/99

International application No.

PCT/DK 00/00074

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9600235 A1	04/01/96	AU 694240 B	16/07/98
		AU 2734395 A	19/01/96
		BG 101067 A	29/08/97
		BR 9508074 A	12/08/97
		CA 2192941 A	04/01/96
		CN 1151164 A	04/06/97
		CZ 9603725 A	16/07/97
		EP 0767798 A	16/04/97
		FI 965144 A	20/02/97
		HU 76343 A	28/08/97
		HU 9603584 D	00/00/00
		IL 114294 D	00/00/00
		JP 10502060 T	24/02/98
		NO 965516 A	21/02/97
		PL 317830 A	28/04/97
		SI 9520077 A	30/06/98
		SK 165596 A	06/08/97
		US 5716777 A	10/02/98
		ZA 9505213 A	15/03/96
WO 9854965 A1	10/12/98	AU 8018798 A	21/12/98
		US 5866599 A	02/02/99